

REMARKS

Claims 32-60 were pending in the instant application. Claims 40 and 41 have been cancelled. Claims 38, 39, 42, 43, and 57 have been amended. Accordingly, claims 32-39 and 42-60 are pending in the instant application.

No new matter has been added. Applicants request that the amendments to the specification and claims be entered. The foregoing claim amendments and cancellation should in no way be construed as an acquiescence to any of the Examiner's rejections and were made solely to expedite prosecution of the present application. Applicants reserve the right to pursue the claims as originally filed in this or a separate application(s).

Applicants gratefully acknowledge the indication of allowability of claims 32-37 and 41-54.

Rejection of Claims 38-40 and 55-56 under 35 U.S.C. 102(b)

The Examiner has rejected claims 38-40 and 55-60 as being anticipated by Woodworth *et al.* (1990). The Examiner relies on the Woodworth *et al.* (1990) reference as providing “expression of the amino terminal half of human serum transferrin by transformed eukaryotic cells, in the expression vector pNUT”. The Examiner further states that “[a] site-directed mutant at D₆₃ is also disclosed and thus anticipates claims 38-40 and 55-56.” Applicants respectfully traverse.

In order to expedite a timely allowance of the instant application, claims 40 and 41 have been cancelled and claims 38 and 39 (and, accordingly, dependent claims 55 and 56) have been amended. Applicants reserve the right to prosecute any of the cancelled and/or amended claims in a continuing application. Applicants respectfully submit that the cancellation of claims 40 and 41 and amendment of claims 38 and 39 obviate the rejection under 35 U.S.C. 102(b). Applicants request reconsideration and withdrawal of the rejection.

Rejection of Claims 55-60 under 35 U.S.C. 103(a)

Applicants gratefully acknowledge the withdrawal of the rejection of claims 55-60 under 35 U.S.C. 103(a).

CONCLUSION

In view of the foregoing remarks, reconsideration of the rejections and allowance of all pending claims is respectfully requested.

If a telephone conversation with Applicants' Attorney would expedite the prosecution of the above-identified application, the examiner is urged to call Applicant's Attorney at (617) 227-7400.

Date: December 22, 2003

LAHIVE & COCKFIELD, LLP
Attorneys at Law

By 

Debra J. Milasincic, Esq.
Reg. No. 46,931
Attorney for Applicants
28 State Street
Boston, MA 02109
(617) 227-7400
(617) 742-4214